



W.P.(MD).No.9247 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 21.06.2024

CORAM

**THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
AND
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

W.P.(MD).No.9247 of 2024

Pandiselvi

.. Petitioner

Vs.

- 1.The Commissioner,
Competent Authority and Administrator,
(SAFEM FOP) A and NDPSA,
Shastri Bhavan,
New Building (4th Floor),
26, Haddows Road,
Chennai - 600 006.
- 2.The Superintendent of Police,
Dindigul District,
Dindigul.
- 3.The Inspector of Police,
Pattiveeranpatti Police Station,
Dindigul District.
- 4.The Deputy Inspector General of Registration,
Madurai.
- 5.The Sub Registrar,
Usilampatti,
Madurai District.



W.P.(MD).No.9247 of 2024

6 .The Revenue Divisional Officer,
Usilampatti,
Madurai District.

7.The Branch Manager,
Indian Overseas Bank,
Usilampatti Branch,
Madurai District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing respondents to defreeze the attachment of her property and Bank Account by considering the petitioner's representation dated 20.03.2024 and take necessary action, by considering her representation within a stipulated time as may be fixed by this Court.

For Petitioner	: Mr.M.Jegadeesh Pandian
For R-1	: Mr.K.Govindarajan Deputy Solicitor General of India
For R-2 to R-6	: Mr.A.Thiruvadikumar Additional Public Prosecutor
For R-7	: No appearance

ORDER

(Order of the Court was made by A.D.JAGADISH CHANDIRA,J.)

The present Writ Petition is filed for Mandamus seeking direction to the respondents to de-freeze the attachment of the petitioner's property and bank account by considering her representation dated 20.03.2024.



W.P.(MD).No.9247 of 2024

WEB COPY

2. It is the case of the petitioner that the third respondent herein had registered a case in Crime No.745/2021 dated 28.12.2021 for the offences under Sections 8(c), 20(b)(ii)(C) and 25 of Narcotic Drugs and Psychotropic Substances Act, 1985 against five persons including the petitioner's husband, who was arrayed as A4, on the allegation that they were found in possession of 220 Kgs of Ganja. The third respondent, after completing the investigation, has filed the final report. In the meantime, based on the request of the third respondent, the properties belonging to the petitioner were freezed by an order passed by the first respondent dated 11.04.2022 and intimation was sent in F.No.OCA/MDS/O5/2022-NDPS dated 18.04.2022. Subsequently, the first respondent had also confirmed the freezing order vide proceedings in F.No.OCA/MDS/O5/2022-NDPS dated 10.05.2022. Further, the final report filed against the petitioner's husband and four others was taken up for trial in C.C.No.389/2022 on the file of the Principal Special Court for EC and NDPS Act Cases, Madurai and all the accused were acquitted by judgment dated 20.07.2023. Pursuant to the judgment of acquittal, the petitioner has made a representation to the respondents herein dated 20.03.2024 through registered post, seeking to



W.P.(MD).No.9247 of 2024

de-freeze the account and despite receiving the same, no action has been taken.

3. The learned counsel for the petitioner would submit that during the pendency of the case against the petitioner's husband, her properties were freezed. Now the husband of the petitioner and the other accused have been acquitted by the Trial Court and no appeal has also been filed so far. Despite the representation sent on 20.03.2024, no action has been taken by the respondents and thereby, she had approached this Court.

4. The learned Deputy Solicitor General of India appearing for the first respondent would submit that based on the request of the third respondent, the properties belonging to the petitioner were freezed. However, he would submit that the first respondent would pass orders on the representation of the petitioner within a specified time.

5. In view of the above submission, without going into the merits of the matter, we direct the first respondent to consider the representation of the petitioner, dated 20.03.2024 and pass orders on merits and in accordance



W.P.(MD).No.9247 of 2024

with law within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. Accordingly, this Writ Petition stands disposed of. There shall be no order as to costs.

(A.D.J.C.,J.) (K.R.S.,J.)
21.06.2024

NCC : Yes / No
Index : Yes / No
Lm

To

1. The Commissioner,
Competent Authority and Administrator,
(SAFEM FOP) A and NDPSA,
Shastri Bhavan, New Building (4th Floor),
26, Haddows Road, Chennai - 600 006.
2. The Superintendent of Police,
Dindigul District, Dindigul.
3. The Inspector of Police,
Pattiveeranpatti Police Station,
Dindigul District.
4. The Deputy Inspector General of Registration,
Madurai.
5. The Sub Registrar,
Usilampatti, Madurai District.



W.P.(MD).No.9247 of 2024

6 .The Revenue Divisional Officer,
Usilampatti, Madurai District.

7.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



W.P.(MD).No.9247 of 2024

A.D.JAGADISH CHANDIRA,J.
and
K.RAJASEKAR,J.

Lm

W.P.(MD).No.9247 of 2024

21.06.2024